

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.34017 of 2017

G.Uma Shankar Reddy
S/o.Gopal Reddy

.. Petitioner

Vs.

1. The District Collector
Krishnagiri
Krishnagiri District.

2. The Sub Collector
Sub Collector Office
Hosur, Krishnagiri District.

3. The Tahsildar
Taluk Office
Hosur Taluk
Krishnagiri District.

4. Smt.Papamma
W/o.Late Konda Reddy

5. Mr.V.Madhu Sudhan
S/o.Late Vasudeva Reddy

6. Mrs.Kanthamma
W/o.Late vasudeva Reddy

.. Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 2nd respondent herein to consider and pass orders on the petitioner's representation dated 04.09.2017 and 27.11.2017 for cancellation of Patta No.849 in respect of the wet lands in Survey No.62 to an extent of 0.62.5 hectare of Baethepalli Village, Hosur Taluk, Krishnagiri District and Patta No.520 in respect of 1 acre of dry lands in Survey No.84/2 of Attur (Badethepalli) village, Hosur Taluk, Krishnagiri District, within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Bharath Kumar
For Respondents : Mr.S.Navaneethan
Additional Government Pleader
For R1 to R3

O R D E R

Heard the learned counsel for the petitioner.

2. The petitioner seeks for a mandamus directing the second respondent to consider his representations dated 04.09.2017 and 27.11.2017, wherein and whereby he sought for cancellation of Patta Nos.849 & 520 in respect of the subject matter property.

3. It is seen that the petitioner has some civil dispute with the respondents 4 & 5, which culminated into filing of the suit in O.S.No.149 of 2012 on the file of the District Munsif of Hosur, for declaration and permanent injunction. It is not in dispute that the said suit is still pending. It is also seen that the sixth respondent has already filed a petition to implead herself as party / defendant in the said suit. Therefore, it is evident that the civil dispute between the parties viz., the petitioner and the respondents 4 to 6 is pending before the said Civil Court. In the meantime, the petitioner seeks for cancellation of patta, by way of the above representations.

4. Needless to say that when the Civil Suit is pending between the parties, it is for the petitioner to agitate all his rights before the Civil Court and establish the same and thereafter, to approach the revenue officials seeking for alteration of the revenue records. Without doing so, the petitioner has given the above representations and consequently, filed the present writ petition seeking for a direction as stated supra. Under the above stated facts and circumstances, I am of the view that the relief sought for in this writ petition is not maintainable and accordingly, the writ petition is dismissed, without expressing any view on the merits of the claim made by the petitioner, however, by granting liberty to the petitioner to agitate the matter and work out his rights before the competent Civil Court. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Krishnagiri
Krishnagiri District.
2. The Sub Collector
Sub Collector Office
Hosur, Krishnagiri District.
3. The Tahsildar
Taluk Office
Hosur Taluk
Krishnagiri District

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.723
+1cc to the Government Pleader, S.R.No.645

W.P.No.34017 of 2017

SSI(CO)
CS/29/01/18



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